## IN THE DISTRICT COURT OF THE UNITED STATES FOR THE WESTERN DISTRICT OF NORTH CAROLINA ASHEVILLE DIVISION

CRIMINAL NO. 1:04CR129

UNITED STATES OF AMERICA	)	
VS.	) ) <u>o</u>	RDER
TIMOTHY D. WALKER	)	
And	)	
DAVID WALKER,	)	
Movant.	) ) _ )	

**THIS MATTER** came on for hearing before the Court on April 9, 2008, on the Movant's amended motion for return of property.

For the reasons stated for the record in open court,

IT IS, THEREFORE, ORDERED that the Movant's motion for return of property is hereby **DENIED**.

IT IS FURTHER ORDERED that the Auto-Ordnance, Thompson model .45 caliber machine gun seized herein on or about December 12, 2004, in relation to the underlying criminal proceedings against the

Defendant Timothy D. Walker, is hereby ordered destroyed by the Government according to law.

**IT IS FURTHER ORDERED** that the Government provide an affidavit confirming the destruction of such weapon within 30 days thereof.

Signed: April 10, 2008

Lacy H. Thornburg

United States District Judge